

386A.8-040 Winding up.

- (1) After dissolution, a statutory trust continues its existence as a statutory trust, but may not carry on any activities except as is appropriate to wind up and liquidate its activities and affairs, including:
 - (a) Collecting the assets of the trust;
 - (b) Disposing of the properties of the trust that will not be distributed in kind to beneficial owners of the trust;
 - (c) Discharging or making provision for discharging the liabilities of the trust, including entering into agreements with creditors for the satisfaction thereof;
 - (d) Distributing the remaining property of the trust in accordance with KRS 386A.8-080; and
 - (e) Doing every other act necessary to wind up and liquidate the trust's activities and affairs.
- (2) In winding up a statutory trust's activities, a trust may:
 - (a) Preserve the trust's activities and property as a going concern for a reasonable time;
 - (b) Prosecute, defend, or settle actions or proceedings whether civil, criminal, or administrative, including by mediation or arbitration; and
 - (c) Transfer the property of the trust.
- (3) The dissolution of a statutory trust does not:
 - (a) Prevent the commencement of a proceeding by or against the trust in its name;
 - (b) Abate or suspend a proceeding by or against the trust pending on the effective date of dissolution;
 - (c) Transfer title to the trust's property;
 - (d) Terminate the authority of the registered agent of the statutory trust;
 - (e) Abate or suspend KRS 386A.3-040; or
 - (f) Abate or suspend KRS 386A.4-020.

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History: Created 2012 Ky. Acts ch. 81, sec. 67, effective July 12, 2012.